

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

**ROTHSCHILD BROADCAST
DISTRIBUTION SYSTEMS, LLC,**

Plaintiff,

v.

LOGMEIN, INC.,

Defendant.

CIVIL ACTION NO. _____

JURY TRIAL DEMANDED

COMPLAINT

Plaintiff Rothschild Broadcast Distribution Systems, LLC (“Plaintiff” or “Rothschild Broadcast Distribution Systems”) files this complaint against Logmein, Inc. (“Logmein”) for infringement of U.S. Patent No. 8,856,221 (hereinafter the “’221 Patent”) and alleges as follows:

PARTIES

1. Plaintiff is a Texas limited liability company with an office at 1801 NE 123 Street, Suite 314, Miami, FL 33181.
2. On information and belief, Defendant is a Delaware corporation, with a place of business at 320 Summer St., Boston, MA 02210. On information and belief, Defendant may be served through its agent, Corporation Service Company, 251 Little Falls Drive, Wilmington, DE 19808.

JURISDICTION AND VENUE

3. This action arises under the patent laws of the United States, 35 U.S.C. § 271 et seq. Plaintiff is seeking damages, as well as attorney fees and costs.
4. Jurisdiction is proper in this Court pursuant to 28 U.S.C. §§ 1331 (Federal Question) and 1338(a) (Patents).

5. On information and belief, this Court has personal jurisdiction over Defendant because Defendant has committed, and continues to commit, acts of infringement in this District, has conducted business in this District, and/or has engaged in continuous and systematic activities in this District.

6. Upon information and belief, Defendant's instrumentalities that are alleged herein to infringe were and continue to be used, imported, offered for sale, and/or sold in the District.

7. Venue is proper in this District under 28 U.S.C. §1400(b) because Defendant is deemed to be a resident in this District. Alternatively, acts of infringement are occurring in this District and Defendant has a regular and established place of business in this District.

BACKGROUND

8. On October 7, 2014, the United States Patent and Trademark Office ("USPTO") duly and legally issued the '221 Patent, entitled "System and Method for Storing Broadcast Content in a Cloud-Based Computing Environment" after the USPTO completed a full and fair examination. The '221 Patent is attached as Exhibit A.

9. Rothschild Broadcast Distribution Systems is currently the owner of the '221 Patent.

10. Rothschild Broadcast Distribution Systems possesses all rights of recovery under the '221 Patent, including the exclusive right to recover for past, present and future infringement.

11. The '221 Patent contains thirteen claims including two independent claims (claims 1 and 7) and eleven dependent claims.

COUNT ONE **(Infringement of United States Patent No. 8,856,221)**

12. Plaintiff refers to and incorporates the allegations in Paragraphs 1 - 11, the same as if set forth herein.

13. This cause of action arises under the patent laws of the United States and, in particular under 35 U.S.C. §§ 271, *et seq.*

14. Defendant has knowledge of its infringement of the '221 Patent, at least as of the service of the present complaint.

15. Upon information and belief, Defendant has infringed and continues to infringe one or more claims, including at least Claim 7, of the '221 Patent by making, using, importing, selling, and/or offering for media content storage and delivery systems and services covered by one or more claims of the '221 Patent.

16. Accordingly, Defendant has infringed, and continues to infringe, the '221 Patent in violation of 35 U.S.C. § 271.

17. Defendant sells, offers to sell, and/or uses media content storage and delivery systems and services, including, without limitation, the GoToMeeting platform, and any similar products ("Product"), which infringes at least Claim 7 of the '221 Patent.

18. The Product practices a method of storing (e.g., cloud storage) media content (e.g., videos, audios, chat, texts, etc.) and delivering requested media content to a consumer device. Certain aspects of these elements are illustrated in the screenshots below and/or in those provided in connection with other allegations herein.



Cloud Recording

No need to take notes while hosting a meeting on the go, cloud recording is now available on the GoToMeeting mobile app.

Source: <https://www.gotomeeting.com/>

GoToMeeting is proud to debut Cloud Recording! With cloud recording, your meeting recording will automatically save and show up in your Meeting History, where you can copy the link, play, download and delete. Never again manually convert and upload!

And did we mention it's also available on the Web App? Organizers who prefer to host via the Web App can now not only record but also record to the cloud!

Source: <https://community.logmein.com/t5/GoToMeeting-News/GoToMeeting-Cloud-Recording-Release-Notes/ba-p/192009>

The screenshot shows the GoToMeeting Hub interface. On the left, under 'Personal Meeting Room', there is a 'Create Meeting' button and a list of recent meetings. The 'History' tab is selected, showing a list of meetings from 'Yesterday'. One meeting, '4:00 PM Weekly Collab Status Update', is highlighted with a red box. To the right, the details for this meeting are shown, including the time '4:00 PM', duration '60 min', and ID '111-220-397'. Below the details, there are buttons for 'Open Recording', 'Download', 'Share', and 'Delete'. The 'Open Recording' button is highlighted with a red box. Below the buttons, there is an 'Attendees list' section with a 'DIAGNOSTICS' button. The attendees list is a table with columns for Name, Email Address, and Join & Leave Times.

Name	Email Address	Join & Leave Times
Carrie Fisher	carrie.fisher@caramel.com	05:07:38 PM - 05:48:40 PM
Harrison Ford	harrison.f@gmail.com	05:07:38 PM - 05:48:40 PM
Mark Hamill	mh@outlook.com	05:07:38 PM - 05:48:40 PM
Anthony Daniels	anthony.daniels@outlook.com	05:07:38 PM - 05:48:40 PM

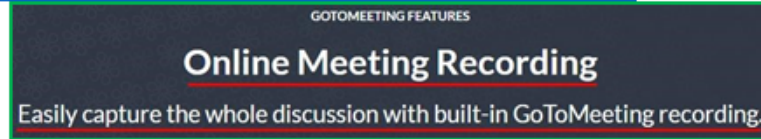
Source: <https://www.gotomeeting.com/features/online-meeting-recording>

The screenshot shows a 'Record Meetings' dialog box. It has a title bar with a close button. Inside, there are three radio button options: 'Cloud recording - Desktop and Web versions' (selected), 'Local recording - Desktop version only', and 'Disabled - the organizer cannot use this feature or change this setting'. Below the options, there is a warning icon and text: 'This will update 3 users.' At the bottom, there are 'Cancel' and 'Save' buttons.

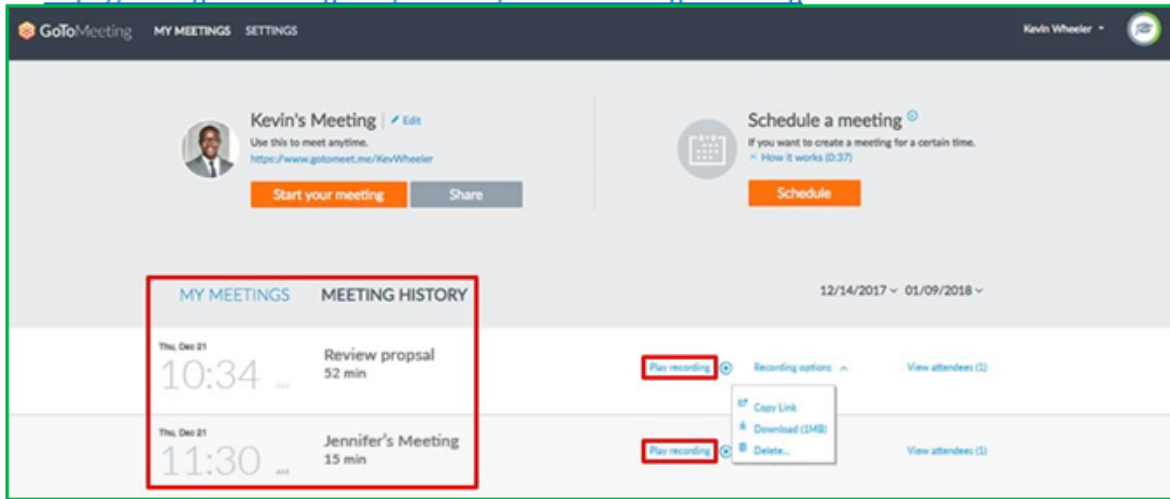
Source: <https://blog.gotomeeting.com/simpler-faster-meeting-recording/>

Cloud recording: Have your recordings automatically saved online (recommended). With this option, your session recordings will be automatically saved to the Meeting History tab of your online account. From there you can view, download, and share the recordings with attendees.

Source: <https://support.goto.com/meeting/help/record-a-session-g2m040008>



Source: <https://www.gotomeeting.com/features/online-meeting-recording>



Source: <https://blog.gotomeeting.com/simpler-faster-meeting-recording/>

19. The Product necessarily includes a receiver configured to receive a request message including data indicating requested media content (e.g., the Product must have infrastructure to receive a request to store recorded media content or to stream recorded media content on a smartphone; additionally, the request message must contain data that identifies the content to be stored or streamed) and a consumer device identifier corresponding to a consumer device (e.g., the user credentials are used to access the contents of the Product). Certain aspects of these elements are illustrated in the screenshots below and/or in those provided in connection with other allegations herein.

1. Start your next online meeting from the newest version of desktop app for Mac or Windows, (or from the [GoToMeeting Web App](#)).
2. When you're ready, press the record button as you normally would.
3. When your meeting is finished, you can find your recording ready just a few minutes later from your [Meeting History](#).
4. From here, you can play the Recording, get a link to share, or delete it.

Source: <https://blog.gotomeeting.com/simpler-faster-meeting-recording/>

The screenshot shows the GoToMeeting Hub interface. At the top, there's a header with the GoToMeeting logo and a 'Hub' tab. A search bar for 'Meeting ID or room name' with a 'JOIN' button is in the top right. The main content area is divided into two columns. The left column has a 'Personal Meeting Room' section with a 'Create Meeting' button and a 'History' tab. Under the 'History' tab, there's a list of meetings from 'Yesterday'. Two meetings are listed: '4:00 PM Weekly Collab Status Update' and '5:30 PM UX Workshop 2.5'. Both have a red box around a play button icon. The right column shows details for the '4:00 PM Weekly Collab Status Update' meeting, including a time zone of '- 4:30 PM CET' and a meeting ID of 'ID: 111-220-397'. Below this are buttons for 'Open Recording', 'Download', 'Share', and 'Delete'. Further down is an 'Attendees list' section with a 'DIAGNOSTICS' button. The attendees list is a table with columns for Name, Email Address, and Join & Leave Times.

Name	Email Address	Join & Leave Times
Carrie Fisher	carrie.fisher@caramel.com	05:07:38 PM - 05:48:40 PM
Harrison Ford	harrison.f@gmail.com	05:07:38 PM - 05:48:40 PM
Mark Hamill	mh@outlook.com	05:07:38 PM - 05:48:40 PM
Anthony Daniels	anthony.daniels@outlook.com	05:07:38 PM - 05:48:40 PM

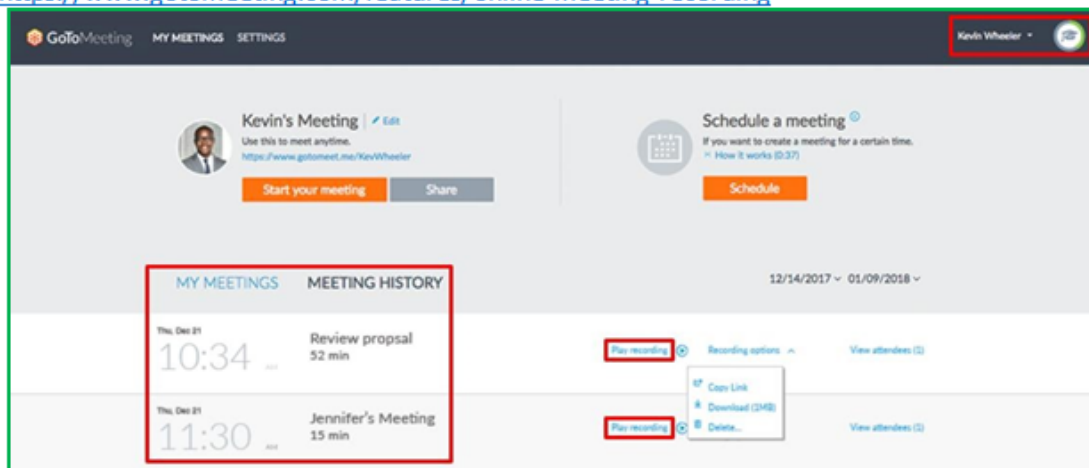
Source: <https://www.gotomeeting.com/features/online-meeting-recording>

Cloud recording: Have your recordings automatically saved online (recommended). With this option, your session recordings will be automatically saved to the Meeting History tab of your online account. From there you can view, download, and share the recordings with attendees.

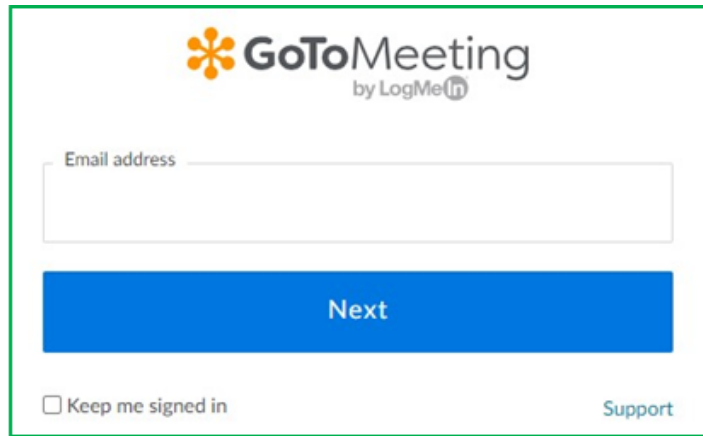
Source: <https://support.goto.com/meeting/help/record-a-session-g2m040008>



Source: <https://www.gotomeeting.com/features/online-meeting-recording>

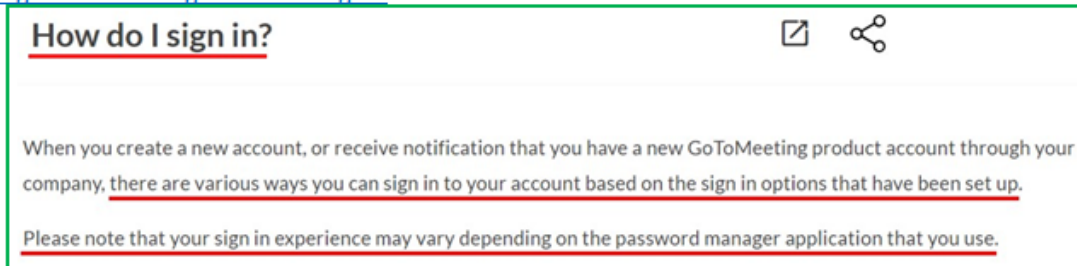


Source: <https://blog.gotomeeting.com/simpler-faster-meeting-recording/>

A screenshot of the GoToMeeting login page. At the top is the GoToMeeting logo with the text "by LogMeIn". Below the logo is a text input field labeled "Email address". Underneath the input field is a large blue button labeled "Next". At the bottom left is a checkbox labeled "Keep me signed in", and at the bottom right is a link labeled "Support".

Source:

https://authentication.logmeininc.com/login?service=https%3A%2F%2Fauthentication.logmeininc.com%2Foauth%2Fapprove%3Fclient_id%3Db5821983-e640-42b4-86cd-5e7efadcc8f0%26response_type%3Dtoken%26redirect_uri%3Dhttps%253A%252F%252Fglobal.gotomeeting.com%26login_theme%3Dg2m&theme=g2m

A screenshot of a help article titled "How do I sign in?". The title is underlined. To the right of the title are two icons: a square with a checkmark and a share icon. Below the title is a paragraph of text: "When you create a new account, or receive notification that you have a new GoToMeeting product account through your company, there are various ways you can sign in to your account based on the sign in options that have been set up." This paragraph is underlined. Below it is another underlined sentence: "Please note that your sign in experience may vary depending on the password manager application that you use."

Source: <https://support.goto.com/article/g2m010001>

20. The Product necessarily determines whether the consumer device identifier corresponds to the registered consumer device (e.g., a user must be a registered user to access the Product's services). Certain aspects of these elements are illustrated in the screenshots below and/or in those provided in connection with other allegations herein.

21. The Product provides for both media downloads and/or storage, and media streaming. After a successful login, the Product necessarily determines whether the request received from a customer is a request for storage (e.g., recording or storing content) or content (e.g., streaming of media content). Certain aspects of these elements are illustrated in the screenshots below and/or in those provided in connection with other allegations herein.

1. Start your next online meeting from the newest version of desktop app for Mac or Windows, (or from the [GoToMeeting Web App](#)).
2. When you're ready, press the record button as you normally would.
3. When your meeting is finished, you can find your recording ready just a few minutes later from your [Meeting History](#).
4. From here, you can play the Recording, get a link to share, or delete it.

Source: <https://blog.gotomeeting.com/simpler-faster-meeting-recording/>

The screenshot shows the GoToMeeting Hub interface. At the top, there's a search bar for "Meeting ID or room name" and a "JOIN" button. Below this, the "Personal Meeting Room" section shows a "Create Meeting" button. The "History" tab is selected, showing a list of meetings. Two meetings are listed: "4:00 PM Weekly Collab Status Update" and "5:30 PM UX Workshop 2.5". Both meetings have a "Recorded" status and a recording icon. The "4:00 PM Weekly Collab Status Update" meeting is expanded, showing options to "Open Recording", "Download", "Share", and "Delete". Below this, the "Attendees list" is displayed with columns for Name, Email Address, and Join & Leave Times. The list includes Carrie Fisher, Harrison Ford, Mark Hamill, and Anthony Daniels.

Name	Email Address	Join & Leave Times
Carrie Fisher	carrie.fisher@caramel.com	05:07:38 PM - 05:48:40 PM
Harrison Ford	harrison.f@gmail.com	05:07:38 PM - 05:48:40 PM
Mark Hamill	mh@outlook.com	05:07:38 PM - 05:48:40 PM
Anthony Daniels	anthony.daniels@outlook.com	05:07:38 PM - 05:48:40 PM

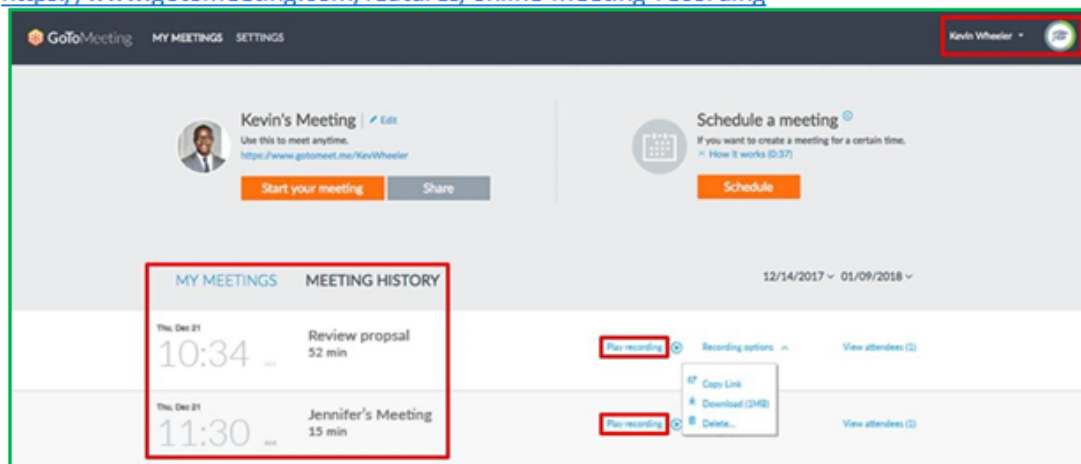
Source: <https://www.gotomeeting.com/features/online-meeting-recording>

Cloud recording: Have your recordings automatically saved online (recommended). With this option, your session recordings will be automatically saved to the Meeting History tab of your online account. From there you can view, download, and share the recordings with attendees.

Source: <https://support.goto.com/meeting/help/record-a-session-g2m040008>



Source: <https://www.gotomeeting.com/features/online-meeting-recording>



Source: <https://blog.gotomeeting.com/simpler-faster-meeting-recording/>

GoToMeeting is proud to debut Cloud Recording! With cloud recording, your meeting recording will automatically save and show up in your Meeting History, where you can copy the link, play, download and delete. Never again manually convert and upload!
And did we mention it's also available on the Web App? Organizers who prefer to host via the Web App can now not only record but also record to the cloud!

Source: <https://www.gotomeeting.com/>

GoToMeeting is proud to debut Cloud Recording! With cloud recording, your meeting recording will automatically save and show up in your Meeting History, where you can copy the link, play, download and delete. Never again manually convert and upload!
And did we mention it's also available on the Web App? Organizers who prefer to host via the Web App can now not only record but also record to the cloud!

Source: <https://community.logmein.com/t5/GoToMeeting-News/GoToMeeting-Cloud-Recording-Release-Notes/ba-p/192009>


22. The Product verifies that media content identified in the media data of the storage request message (e.g., request to record content) is available for storage in order to prevent data errors that would result from attempting to store content that is not available for storage. The Product must verify that the media content (e.g. specific recording) identified in the media data of the storage request message is available for storage in order to prevent data errors that would result from attempting to store content that is not available for storage (e.g., the product must verify a user's ability to store video is limited to a certain amount of memory usage based upon their subscription; thus media content may not be available for storage if a user is already above their memory limit or if the user has not subscribed to any service). Certain aspects of these elements are illustrated in the screenshots below and/or in those provided in connection with other allegations herein.

Unlimited Cloud Recording ⓘ

Record your meetings locally or in the cloud so you can listen again and share. Cloud recordings are stored for 1 year.

Source: <https://www.gotomeeting.com/meeting/pricing>

Record Sessions from the Web App

- Organizers hosting their own meetings from the [Web App](#) can now record their sessions! Previously, the ability to record a meeting was available to organizers on the desktop app only. To begin recording, organizers can select the Record icon  at the bottom of the Control Panel. The icon will begin to glow, assuring organizers that the session is being recorded. Organizers can select the icon again to pause and resume. The help pop-up includes online recording information and notifies organizers that the recording will be available on the [Meeting History](#) page after the meeting has ended.

Source: <https://community.logmein.com/t5/GoToMeeting-News/GoToMeeting-Cloud-Recording-Release-Notes/ba-p/192009>

GoToMeeting is proud to debut Cloud Recording! With cloud recording, your meeting recording will automatically save and show up in your Meeting History, where you can copy the link, play, download and delete. Never again manually convert and upload!
And did we mention it's also available on the Web App? Organizers who prefer to host via the Web App can now not only record but also record to the cloud!

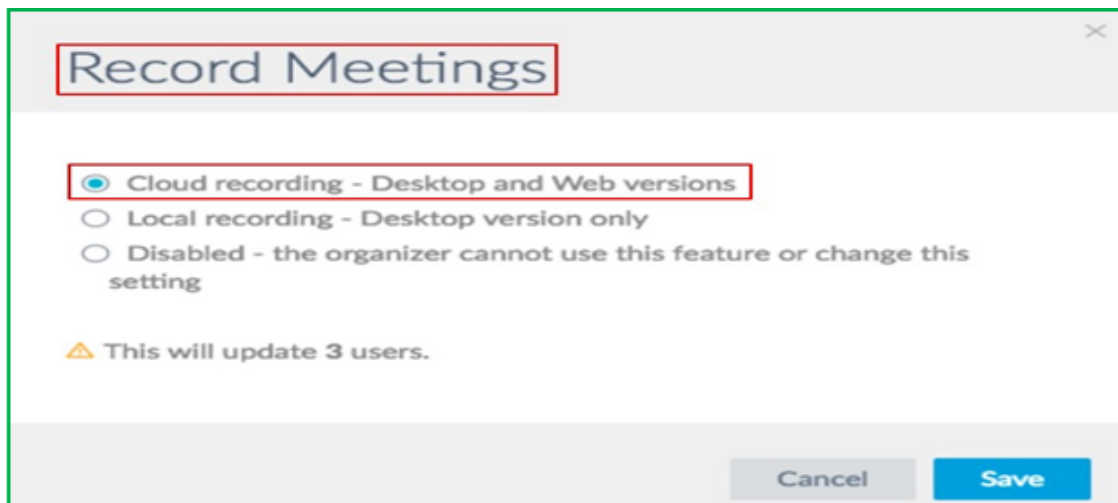
Source: <https://www.gotomeeting.com/>

GoToMeeting is proud to debut Cloud Recording! With cloud recording, your meeting recording will automatically save and show up in your Meeting History, where you can copy the link, play, download and delete. Never again manually convert and upload!
And did we mention it's also available on the Web App? Organizers who prefer to host via the Web App can now not only record but also record to the cloud!

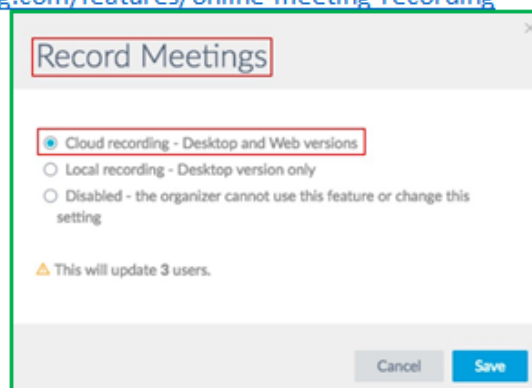
Source: <https://community.logmein.com/t5/GoToMeeting-News/GoToMeeting-Cloud-Recording-Release-Notes/ba-p/192009>

Cloud recording: Have your recordings automatically saved online (recommended). With this option, your session recordings will be automatically saved to the Meeting History tab of your online account. From there you can view, download, and share the recordings with attendees.

Source: <https://support.goto.com/meeting/help/record-a-session-g2m040008>



Source: <https://www.gotomeeting.com/features/online-meeting-recording>



Source: <https://blog.gotomeeting.com/simpler-faster-meeting-recording/>

23. If a customer requests content (e.g., live streaming of media content), then a processor within the Product necessarily initiates delivery of the content to the customer's device. The Product will initiate delivery of the requested media content to the consumer device (e.g., stream media content feed to a smartphone or tablet etc.) if the request message is a content request message (e.g., request for live streaming). Certain aspects of these elements are illustrated in the screen shots below and/or in screen shots provided in connection with other allegations herein.

1. Start your next online meeting from the newest version of desktop app for Mac or Windows, (or from the [GoToMeeting Web App](#)).
2. When you're ready, press the record button as you normally would.
3. When your meeting is finished, you can find your recording ready just a few minutes later from your [Meeting History](#).
4. From here, you can play the Recording, get a link to share, or delete it.

Source: <https://blog.gotomeeting.com/simpler-faster-meeting-recording/>

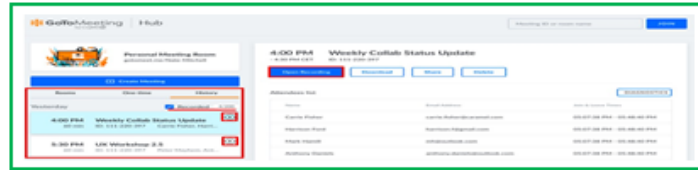
The screenshot shows the GoToMeeting Hub interface. At the top, there's a search bar for "Meeting ID or room name" and a "JOIN" button. Below this, the "Personal Meeting Room" section shows a "Create Meeting" button. The "History" tab is selected, showing a list of meetings. Two meetings are listed: "4:00 PM Weekly Collab Status Update" and "5:30 PM UX Workshop 2.5". Both meetings have a "Recorded" status and a red box around the recording icon. The "Attendees list" section shows a table with columns for Name, Email Address, and Join & Leave Times. The table lists four attendees: Carrie Fisher, Harrison Ford, Mark Hamill, and Anthony Daniels.

Name	Email Address	Join & Leave Times
Carrie Fisher	carrie.fisher@caramel.com	05:07:38 PM - 05:48:40 PM
Harrison Ford	harrison.f@gmail.com	05:07:38 PM - 05:48:40 PM
Mark Hamill	mh@outlook.com	05:07:38 PM - 05:48:40 PM
Anthony Daniels	anthony.daniels@outlook.com	05:07:38 PM - 05:48:40 PM

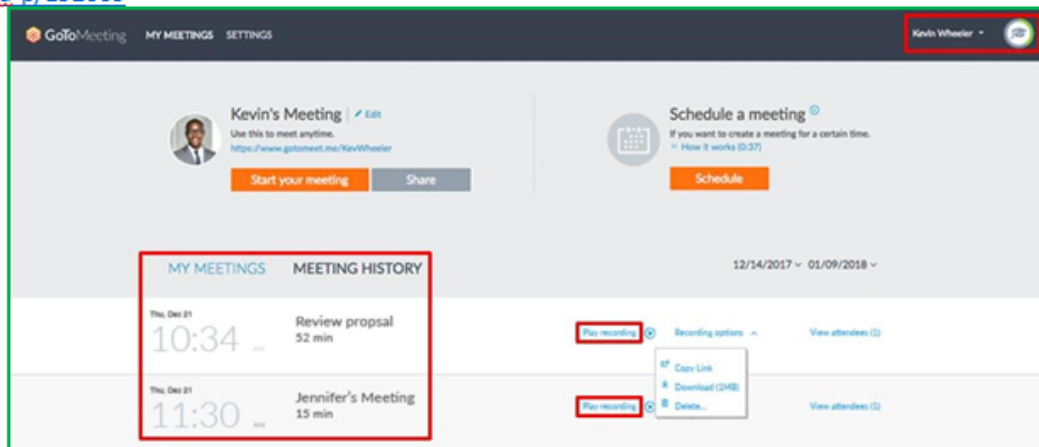
Source: <https://www.gotomeeting.com/features/online-meeting-recording>

Cloud recording: Have your recordings automatically saved online (recommended). With this option, your session recordings will be automatically saved to the Meeting History tab of your online account. From there you can view, download, and share the recordings with attendees.

Source: <https://support.goto.com/meeting/help/record-a-session-g2m040008>

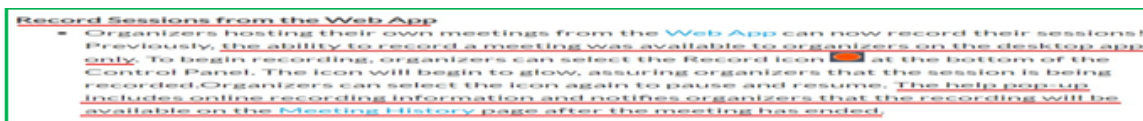


Source: <https://community.logmein.com/t5/GoToMeeting-News/GoToMeeting-Cloud-Recording-Release-Notes/ba-p/192009>

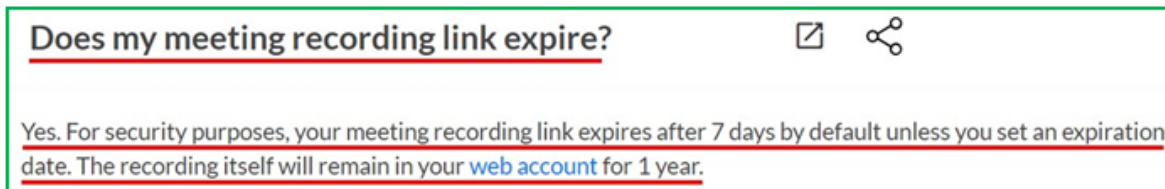


Source: <https://blog.gotomeeting.com/simpler-faster-meeting-recording/>

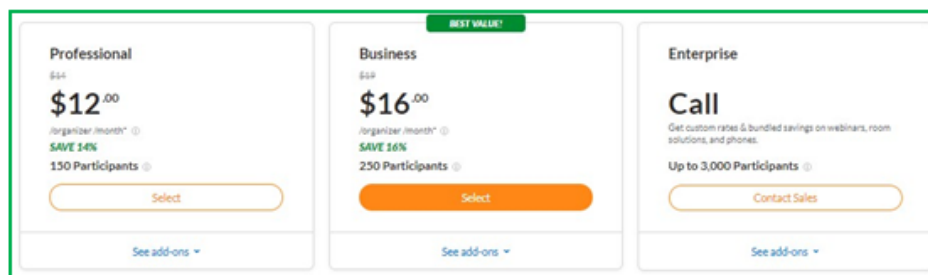
24. The media data time data that indicates a length of time to store the requested media content (e.g. a user is allowed to store media content for a retention time period configured by the user as per their subscription level, but the recording itself remains in the user web account for 1 year). Certain aspects of these elements are illustrated in the screenshots below and/or in those provided in connection with other allegations herein.



Source: <https://www.gotomeeting.com/meeting/pricing>



Source: <https://support.goto.com/meeting/help/does-my-meeting-recording-linkexpire#:~:text=For%20security%20purposes%2C%20your%20meeting,box%20to%20filter%20recorded%20sessions.>



Source: <https://www.gotomeeting.com/meeting/pricing>

25. The server must first determine whether the requested media content exists prior to initiating delivery in order to prevent data errors that would result from attempting to transmit media content that does not exist (e.g. the product must verify that a particular requested data is stored in the cloud). Certain aspects of these elements are illustrated in the screenshots below and/or in those provided in connection with other allegations herein.

26. After the processor determines whether the requested media content is available, it determines whether there are restrictions associated with the requested media content (e.g., subscription level etc.). Certain aspects of these elements are illustrated in the screenshots provided in connection with other allegations herein.

Unlimited Cloud Recording ⓘ

Record your meetings locally or in the cloud so you can listen again and share. Cloud recordings are stored for 1 year.

Source: <https://www.gotomeeting.com/meeting/pricing>

The screenshot displays three pricing tiers for GoTo Meeting:

- Professional:** \$12.00 /organizer /month* ⓘ. SAVE 14%. 150 Participants ⓘ. Includes a 'Select' button and a 'See add-ons' link.
- Business:** \$16.00 /organizer /month* ⓘ. SAVE 16%. 250 Participants ⓘ. Includes a 'Select' button and a 'See add-ons' link. A 'BEST VALUE!' badge is present above this plan.
- Enterprise:** 'Call' to get custom rates & bundled savings on webinars, room solutions, and phones. Up to 3,000 Participants ⓘ. Includes a 'Contact Sales' button and a 'See add-ons' link.

Source: <https://support.goto.com/meeting/help/does-my-meeting-recording-linkexpire#:~:text=For%20security%20purposes%2C%20your%20meeting,box%20to%20filter%20recorded%20sessions.>

This is an identical copy of the screenshot above, showing the Professional, Business, and Enterprise pricing tiers for GoTo Meeting.

Source: <https://www.gotomeeting.com/meeting/pricing>

27. Defendant's actions complained of herein will continue unless Defendant is enjoined by this Court.
28. Defendant's actions complained of herein is causing irreparable harm and monetary damage to Plaintiff and will continue to do so unless and until Defendant is enjoined and restrained by this Court.
29. The '221 Patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code.
30. A copy of the '221 Patent, titled "System and Method for Storing Broadcast Content in a Cloud-based Computing Environment," is attached hereto as Exhibit A.

31. By engaging in the conduct described herein, Defendant has injured Plaintiff and is liable for infringement of the '221 Patent, pursuant to 35 U.S.C. § 271.

32. Defendant has committed these acts of literal infringement, or infringement under the doctrine of equivalents of the '221 Patent, without license or authorization.

33. As a result of Defendant's infringement of the '221 Patent, injured Plaintiff has suffered monetary damages and is entitled to a monetary judgment in an amount adequate to compensate for Defendant's past infringement, together with interests and costs.

34. Plaintiff is in compliance with 35 U.S.C. § 287.

35. As such, Plaintiff is entitled to compensation for any continuing and/or future infringement of the '221 Patent up until the date that Defendant ceases its infringing activities.

DEMAND FOR JURY TRIAL

36. Rothschild Broadcast Distribution Systems, under Rule 38 of the Federal Rules of Civil Procedure, requests a trial by jury of any issues so triable by right.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff asks the Court to:

(a) Enter judgment for Plaintiff on this Complaint on all cases of action asserted herein;

(b) Enter an Order enjoining Defendant, its agents, officers, servants, employees, attorneys, and all persons in active concert or participation with Defendant who receives notice of the order from further infringement of United States Patent No. 8,856,221 (or, in the alternative, awarding Plaintiff running royalty from the time judgment going forward);

(c) Award Plaintiff damages resulting from Defendants infringement in accordance with 35 U.S.C. § 284;

(d) Award Plaintiff such further relief to which the Court finds Plaintiff entitled under law or equity.

Dated: February 1, 2021

Respectfully submitted,

/s/David A Chavous

David A. Chavous, Esq.

CHAVOUS INTELLECTUAL PROPERTY LAW
LLC

793 Turnpike St., Unit 1

North Andover, MA 01845

Phone: (978) 655-4309

Fax: (978) 945-0549

dchavous@chavousiplaw.com

OF COUNSEL

JAY JOHNSON (*Pro Hac Vice Application*
Pending)

State Bar No. 24067322

KIZZIA JOHNSON, PLLC

1910 Pacific Ave., Suite 13000

Dallas, Texas 75201

(214) 451-0164

Fax: (214) 451-0165

jay@kjpllc.com

ATTORNEYS FOR PLAINTIFF

EXHIBIT A